Calendar No. 868

100TH CONGRESS
2d Session

SENATE

REPORT
100-452

EXTENDING THE AUTHORIZATION OF THE UPPER DELAWARE CITIZENS ADVISORY COUNCIL FOR AN ADDITIONAL TEN YEARS

AUGUST 5, 1988.—Ordered to be printed

Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany H.R. 3880]

The Committee on Energy and Natural Resources, to which was referred the act (H.R. 3880) to extend the authorization of the Upper Delaware Citizens Advisory Council for an additional ten years, having considered the same, reports favorably thereon without amendment and recommends that the act do pass.

PURPOSE OF THE MEASURE

The purpose of H.R. 3880 is to extend for 10 years the authorization for the Upper Delaware Citizens Advisory Council.

BACKGROUND AND NEED

Public Law 95-625 in 1978 designated 73.4 miles of the Upper Delaware River, along the New York-Pennsylvania border, as part of the National Wild and Scenic Rivers System. The Act directed the establishment of a 17 member Advisory Council to encourage public involvement and to advise the Secretary of the Interior and State and local communities on the development and implementation of a management plan for this river segment. The Council began operation in February of 1979 and under the provisions of Public Law 95-625 will cease operations in February of 1989.

The development of a management plan for the Upper Delaware has involved almost a decade of work. The management plan, which was required by Public Law 95-625, was completed in late 1986. The plan has undergone public review and took effect in

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early January, 1988. It is important that the Advisory Council be operational during the next 10 years while the plan is in the initial stages of implementation.

Legislative History

H.R. 3880 passed the House of Representatives on June 20, 1988.

At the business meeting on Wednesday, August 3, 1988, the Senate Committee on Energy and Natural Resources ordered H.R. 3880, favorably reported.

Committee Recommendations and Tabulation of Votes

The Senate Committee on Energy and Natural Resources, in open business session on August 3, 1988, by unanimous vote of a quorum present, recommends that the Senate pass H.R. 3880, as described herein.

The rollcall vote on reporting the measure was 19 yeas, 0 nays, as follows:

YEAS	NAYS
Mr. Johnston [1]	
Mr. Bumpers [1]	
Mr. Ford	
Mr. Metzenbaum [1]	
Mr. Melcher	
Mr. Bradley	
Mr. Bingaman	
Mr. Wirth	
Mr. Fowler [1]	
Mr. Conrad	
Mr. McClure	
Mr. Hatfield	
Mr. Weicker [1]	
Mr. Domenici [1]	
Mr. Wallop [1]	
Mr. Murkowski	
Mr. Nickles	
Mr. Hecht	
Mr. Evans [1]	

[1] Indicates voted by proxy.

Summary of Measure

H.R. 3880 would extend the operation of the Upper Delaware Citizens Advisory Council for an additional 10-year period to enable the Council to continue, on a formal basis, to advise the National Park Service and State and local communities on plans and programs relating to the administration of the Upper Delaware Wild and Scenic River.

Cost and Budgetary Considerations

The Congressional Budget Office estimate of the costs of this measure has been requested but was not received at the time that report was filed. When the report is available, the Chairman will

request it to be printed in the Congressional Record for the advice of the Senate.

Regulatory Impact Evaluation

In compliance with paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 3880. The Act is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact of personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 3880, as reported.

Executive Communications

On July 14, 1988, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth executive views on H.R. 3880. These reports had not been received at the time the report on H.R. 3880 was filed. When the reports become available, the chairman will request that they be printed in the Congressional Record for the advice of the Senate.

Changes in Existing Law

In compliance with paragraph 12 of Rule XXVI of the Standing Rules of the Senate, changes in existing law made by the Act H.R. 3880, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

Section 704 of the National Parks and Recreation Act of 1978

ADDITION OF UPPER DELAWARE SEGMENT; SPECIAL PROVISIONS

Sec. 704.(a)

* * * * * * *

(f)(1) At the earliest practicable date following enactment of this Act, but no later than one hundred and twenty days thereafter, there shall be established an Upper Delaware Citizens Advisory Council. The Advisory Council shall encourage maximum public involvement in the development and implementation of the plans and programs authorized by this section. It shall report to the Commission and the Secretary from time to time during preparation of the management plan. Following completion of the management plan, it shall report to the Secretary and the Governors of the directly affected States no less frequently than once each year its recommendations, if any, for improvement in the programs authorized by this Act, or in the programs of other agencies which may relate to land or water use in the Upper Delaware River region.

The Advisory Council shall terminate [ten] *20* years after the date on which it is established.

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